

ORAL AND VIDEOTAPED DEPOSITION OF BASIL LEO RILEY, III

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

C.M. COLLINS, N.J. LUNDY)
and R.C.L. MAYS,)
individually and on behalf)
of all others similarly)
situated,)
)
 Plaintiffs,)
)
vs.) CIVIL ACTION NO.
) 4:22-cv-1073
CATASTROPHE RESPONSE UNIT,)
INC. and CATASTROPHE)
RESPONSE UNIT USA, INC.,)
)
 Defendants.)

VIDEOTAPED ORAL DEPOSITION OF
BASIL LEO RILEY, III
OCTOBER 18, 2023

VIDEOTAPED ORAL DEPOSITION OF BASIL LEO
RILEY, III, produced as a witness at the instance
of the Defendants, and duly sworn, was taken in the
above-styled and numbered cause on October 18th,
2023, from 9:35 a.m. to 4:55 p.m., before RENEA
SEGGERN, CSR, in and for the State of Texas,
reported by machine shorthand via Zoom Video
Conference, pursuant to the Federal Rules of Civil
Procedure and the provisions stated on the record
or attached hereto.

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1 investigate possible fraud or things of that
2 nature.

3 Q Did you ever follow up with SIU to find
4 out what happened in each one of those two
5 situations?

6 A I believe the auto claim I think with
7 State Farm, I think they take it over. They'll
8 take it over and then you won't do anything else
9 with it. Now, if I'm still there or if I get
10 released before it's settled then I didn't hear
11 anything -- I didn't hear anything back.

12 Q When you were deployed by CRU, did you
13 make a schedule of what you sought to accomplish
14 each day?

15 A Yes.

16 Q Where did you maintain that schedule?

17 A In the actual log, in the actual computer,
18 their computer, CRU computer.

19 Q So what was the name of the app that you
20 would use?

21 A It was all in Guidewire.

22 Q Guidewire -- I'm sorry, go ahead.

23 A That's where we performed. That's what we
24 did, everything, claim handling, writing checks.

25 Q Okay. So right now I'm just asking you

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1 Q Sure. So your testimony is that you
2 worked on CRU claims for ten, 11, 12 hours a day,
3 right?

4 A Right.

5 Q Is that your testimony?

6 A Ten hours a day. That's what we were
7 scheduled, I mean.

8 Q Your testimony is that with regard to your
9 first, second and third deployments with CRU you
10 worked ten hours a day, right?

11 A Correct.

12 Q And did that include your one-hour lunch
13 break?

14 A No.

15 Q You started working at what time?

16 A I guess it all depends on which
17 deployment. One deployment I was eight, one was
18 six -- no, one was eight, one was nine depending on
19 what time zone we were working on as well in
20 Canada.

21 Q Your time zone, what time did you start
22 working on your first deployment?

23 A I believe it was eight or seven Eastern.

24 Q Okay. You're Eastern, right, being in
25 Tampa?

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1 A No.

2 Q With regard to your third deployment, what
3 time did your workday begin?

4 A Specifically I don't recall.

5 Q With regard to your third deployment, what
6 time did your workday end?

7 A Ten hours after I began.

8 Q But you don't know what time it ended?

9 A No. They were always -- it was either
10 six, eight or nine start and six, seven or eight
11 end.

12 Q And when you say it was always ten hours
13 after my start, did that or did that not include
14 your one-hour lunch?

15 A That was excluding of the lunch.

16 Q It would always be 11 hours then after
17 your start time?

18 A That sounds about right. I know my -- we
19 didn't clock in and clock out so there was no
20 actual clock that we actually punched out. We
21 would just have to give, hey, we're leaving out; we
22 have to put in Teams we're going to lunch now and
23 when we're back from lunch, but there was no actual
24 clock. We never actually punched an actual clock.

25 Q What I was trying to ask you before was

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1 A Right.

2 Q So you didn't work on either the Canadian
3 or the American holidays?

4 A No, American holidays we did because the
5 Canadians -- well, TD didn't honor, I guess, the
6 American holidays so we worked except for
7 Thanksgiving and Christmas they did and I think New
8 Year's, but as far as Columbus Day and Martin
9 Luther King Day, and yeah, we worked from what I
10 recall.

11 Q You testified earlier that you were told
12 that you could not work another job while you were
13 deployed by CRU; is that right?

14 A Yes.

15 Q Who told you that?

16 A It was in a meeting, Randy Bray.

17 Q When did Randy say that?

18 A Every Saturday morning we would have an
19 entire auto department meeting, and I believe the
20 second week in he told us that in a meeting and he
21 pretty much reiterated it every meeting every
22 Saturday after that.

23 Q Was he the only one who said that?

24 A As far as to my knowledge, that's what I
25 heard with my own ears.

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1 allegations that you're making right now --

2 MR. O'BRIEN: Objection, form.

3 Q (BY MR. HURST) -- against CRU?

4 MR. O'BRIEN: Objection, form.

5 A No.

6 Q (BY MR. HURST) Okay. Did she ever tell
7 you that she wanted to sue CRU or thought she was
8 owed something?

9 A No.

10 Q Were you ever told that you had to get
11 approval in advance to take time off?

12 A Yes.

13 Q By whom?

14 A TL. I remember this from, I think it
15 was --

16 Q Hold on. Right now we're just talking
17 about who. Do you remember the name of the person
18 who supposedly told you this?

19 A It was either Tameikah or Esmerelda.

20 Q You don't recall specifically if it was
21 Tameikah or Esmerelda who told you this, you just
22 knew it was one of the two?

23 A Correct.

24 Q Do you recall when it was that Tameikah or
25 Esmerelda told you that you would have to get

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ORAL AND VIDEOTAPED DEPOSITION OF BASIL LEO RILEY, III

Page 251

1 __X__ was requested by the deponent and/or a
2 party before completion of the deposition.

3 _____ was not requested by the deponent and/or
4 a party before the completion of the deposition.

5 I further certify that I am neither
6 attorney nor counsel for, nor related to or
7 employed by any of the parties to the action in
8 which this deposition is taken and further that I
9 am not a relative or employee of any attorney of
10 record in this cause, nor am I financially or
11 otherwise interested in the outcome of the action.

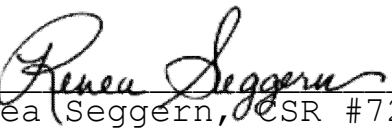
12 The amount of time used by each party at
13 the deposition is as follows:

14 Mr. Monte K. Hurst - 5 hours, 10 minutes
15 Mr. Kerry O'Brien - 1 minute

16 Subscribed and sworn to on this 29th day
17 of October, 2023.

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Renea Seggern, CSR #7262
Certification Expires 04-30-2025
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